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ABSTRACT

This radio program discussed the pros and cons of the kind of compulsory school attendance laws now in force in all states except Mississippi. The program moderator talked in turn with five individuals about their views on compulsory education. B. Frank Brown, chairman of the National Commission for the Reform of Secondary Schools, recommended that school attendance should not be compulsory beyond the eighth grade or age 14. Owen Kiernan, executive director of the National Association of Secondary School Principals, supported the present laws, which generally require school attendance through age 16. Mary Wilson, a 20-year-old ex-dropout now working as a professional pianist and apprentice carpenter, favored elimination of compulsory attendance laws but predicted that such a change would have little real impact. LuVern Cunningham, codirector of the Detroit Education Task Force, suggested that every person should be entitled to a certain number of years of free public education to be used whenever he chooses. Joseph Featherstone, a Harvard University professor, argued that eliminating compulsory attendance laws without first creating alternative approaches or institutions to serve the needs of young people would not create any more freedom of choice than exists now. (JG)

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National Public Radio

"COMPULSORY EDUCATION"
A Transcript of "Options on Education"
(October 25, 1974)

Key: (A) Announcer
Mike Waters

(M) Moderator
John Merrow

(B) B. Frank Brown
Chairman, National Commission for the Reform of Secondary Schools

(O) Owen Kiernan
Executive Director, National Association of Secondary School Principals

(W) Mary Wilson
Professional pianist and apprentice carpenter

(C) LuVern Cunningham
Co-director, Detroit Education Task Force

(F) Joseph Featherstone
Harvard University

A: From National Public Radio in Washington, this is "Options on Education".

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(The program begins with approximately 20 "people-on-the-street" interviews conducted by Moderator John Merrow. The gist of the interviews: strong public support for compulsory attendance, even beyond age 16).

* * *

A: The people whose opinions you just heard were interviewed in Lafayette Park which is across from the White House in Washington, D.C. It wasn't a scientific survey, of course, but proper scientific sampling of public opinion produces the same results. The annual Gallup poll on education shows that only 18% of our citizens favor releasing uninterested students from the obligation of going to school. And other polls produce similar results. What does that mean? Are Americans voting in favor of compulsory education or compulsory attendance? What's the difference, if any? How effective are the laws requiring school attendance? That is, what do authorities do when young people stop going to school? To get at some of the answers to these and other questions, John Merrow of the Institute for Educational Leadership talked with several educators, a high school drop-out (now working both as a professional pianist and an apprentice carpenter), and an educational historian. The educators are B. Frank Brown, Owen Kiernan, and LuVern Cunningham. The drop-out turned pianist and carpenter is Mary Wilson. The historian is Joseph Featherstone of Harvard. Frank Brown and Owen Kiernan are in different corners of the educational establishment. Dr. Brown was chairman of the National Commission that recommended reducing mandatory attendance to age 14. Dr. Kiernan is Executive Director of the National Association of Secondary School Principals, a 35,000 member organization which has a vested interested in keeping the high schools open and full. Dr. Brown was in his Florida office when he talked by telephone with John Merrow. He began by describing the National Commission's recommendation regarding compulsory attendance.

B: The Commission agonized over this problem for an entire year and finally came up with the recommendation that attendance in schools should not be compulsory above grade 8 or the age 14.

M: So that means that a 14 year old or anyone who's over 14 can drop out of school if your requirement were followed?

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B: Well, you've put it in a negative context. He can leave school for a different life-style.

M: You spoke in the report of the custodial logic of schools. What do you mean by that phrase?

B: You see, the problem with compulsory schooling, and the reason that we recommended that we do away with it above the eighth grade, is because the schools are custodial institutions. They have to detain young people in them. They are really institutions of detention in one respect. We felt that the schools are not going to get any better unless we do away with this custodial function where rebellious youths are forced to be there.

M: Now let's take that idea. How might schools get better if you did away with the compulsory attendance laws?

B: It's perfectly logical that schools would be better because people will be there because they want to be there, not because they are forced by a state law to be there.

M: Schools would be better because people will be there because they want to be there? What kind of recommendations did you make about improving the school that would be a voluntary school?

B: We made a total of 32 recommendations and they're really pretty extensive as far as getting into them. But one of the things that we recommended very strongly, which I think is a major recommendation, is that all high schools should have alternative programs in which young people can get out into the community and work in service-learning kinds of things. They can work in hospitals, they can work in homes for the elderly, and be given credit for this. We refer to it as alternative programs.

M: Now let me ask you about the other side of that -- the kids who don't want to go to school. Aren't you recommending something that would in fact abandon that segment of youth that is perhaps most in need?

B: Let's put it this way. We know pretty well that by forcing people into schools who don't want to be there, they're not learning anything; all they're doing is disrupting the learning process for those who do want to be there.

M: What's some of the evidence on that point?

B: Talk to any high school principal who is in an area where there are all kinds of students in his school who don't want to be there, and the evidence is very clear that you can't do very much in the way of teaching and learning when a person doesn't want to learn.

M: So what you're saying is that basically the kids that are forced to be there aren't learning anything anyway, and they're disrupting, so they might as well not be there?

B: They should not be there. But I think it's not the school's problem, it's society's problem to provide some other outlet for them.

M: I'm sure people have reacted to your recommendation by accusing you, or accusing the Commission, of pushing out the kids who are most in need.

B: Nobody's being pushed out. All we're saying is that they should have the option to go some other place. Now we also are pretty sure that it's unconstitutional to require people to be in school above the eighth grade. The Supreme Court, in the famous Amish case, ruled that children of the Amish do not have to go to school above the eighth grade. And if you don't compel Amish youngsters to go to school, then you can't very well compel the children of Catholics or Protestants or Jews to go to school either.

M: Well now, that case, it seems to me, turned on the notion of religious convictions -- that religious convictions outweighed the society's obligation and right to provide schooling.

B: Most people have not read the case. Let me read you just one brief excerpt from the case. "When Thomas Jefferson emphasized the need for education as a bulwark of a free people against tyranny, there's nothing to indicate he had in mind compulsory education through any fixed age beyond a basic education." And then the Court goes on to say in the decision: "The requirement for compulsory education beyond the eighth grade is a relatively recent development in our history. Less then sixty years ago, the educational requirement of almost all the states was satisfied by completion of the elementary grades." And I submit to you that the country was better run in 1900 than it is today.

M: We will come back to Frank Brown in a minute. Owen Kiernan, Executive Director of the National Association of Secondary School Principals, is often cast in the role of defender of compulsory attendance. I asked Dr. Kiernan if he felt comfortable in that role.

K: I think I will accept it for several reasons. First, going back to the early days of this country -- I'm thinking of the laws of 1642 and 1647 in the Bay State (the Massachusetts Bay Colony) where the people convinced the legislative bodies in those early days that compulsory attendance was something that would be best for the state and the individuals making up that state. At the same time, I would not want to suggest that schools ought to concern themselves only with the custodial role. These young people are in school to get the basic training needed for viable citizenship and that's the reason, of course, our schools remain open to this day.

M: Now, you say compulsory attendance makes sense. We ought to talk about an age limitation. Frank Brown's Commission has recommended 14. Do you think that's a sound recommendation?

K: I do not, and as a matter of fact, let me quote Congressman Peter Peyser of New York City, who described letting young people out of school on their 14th birthday as the cop-out of the century. I subscribe completely to his point of view. Now in a sense, the Commission which Frank Brown represents, didn't suggest a push-out on the 14th birthday. What in effect they were saying is that we ought to have programs that would be designed to assist all young people. I think, again, I would agree with him and the members of the Commission that for too long a period we've had secondary schools concentrating only on collegiate preparation, that is, academic programs that would lead presumably to a baccalaureate degree at a four-year college. What concerns me, however, is that the interpretation of this recommendation now leads to the suggestion that if a youngster is out of line -- and we have some youngsters out of line -- from the point of view of discipline, or he's not really having any dividends returned from his training, that he's a fit subject for exclusion. My concern, obviously, is that if you suddenly turn all those youngsters onto the streets we would have what James Bryant Conant once described as "social dynamite" and most assuredly this is something I cannot support.

M: Why do you support the Congressman's statement that there'd be chaos on the street? Do you think if the compulsory attendance law were lifted at age 14, all the kids would leave school? That's what you seem to be implying.

K: No. I'm concerned with some parents who are somewhat indifferent , and other parents who may well have lost control,particularly in the inner-city, over their children. And I suspect that they would be easily influenced by youngster who would say, "look, I'm tired of reading, writing, and arithmetic; the time has come for me to seek some other type of training out in the field." Now this is a vague reference to the utopia which is presumably outside of the school. I have found repeatedly that any program that is not directly tied in some fashion to the school, tends not to have very much viability, and I think the reason is quite obvious that the expertise, the know-how, the financial support, the stability, traditional as it is, just doesn't exist when we move from the schoolhouse setting to some agency that would set itself up on a street corner and say, "this is what a 14 year old can be doing if he doesn't like school."

M In other words, you're saying that you'd endorse the National Commission for the Reform of Secondary Schools' recommendations for more alternatives; you just wouldn't want to say that anyone could leave at age 14. At what age would you end compulsory attendance?

K: I would support the present universal 16 year old statute which all of our states operate under at the present time. But, I would suggest that we ought to have programs for these young people that are appropriate, that would keep them in if necessary to 17, or 18, or 19, or 20. I'd like to underscore the importance of the Lincoln philosophy of education as a cradle to grave responsibility, and I'm not at all certain that I could support some sort of a magic cut-off even at 16. But, with the 14 year push-out, I'm certain that these viable alternatives (and that's exactly what we're talking about here), options that are realistic, that would not force a youngster into an academic program that either is beyond him or in which he has no interest, but would allow him opportunities to take some kind of program which would pay some real dividends later in his adult responsibilities.

M: You mention the universal age of 16 in all the states (I think Mississippi has no compulsory attendance law, but in the other states it's age 16). But, in fact, aren't compulsory attendance laws pretty much ignored?

K: They have been. You mention Mississippi; incidentally, the original statute did place 16. But during the period following the Brown decision in 1954, some states eliminated compulsory attendance because of the problem of desegregation. No, I have the feeling that the compulsory attendance laws are a part of our society. I'm deeply concerned at the moment for getting the 14 year old leaving suggestion of the Kettering Commission and Frank Brown and his colleagues. I'm deeply concerned over the fact that there are probably a number of young people already, particularly in our major cities, who are not attending school.

M: What would you do about that?

K: I think two things can be done. I think, one, the parent or parents should be educated (or guardian). I think the attendance people, not in any punitive or vindictive sense, not in an police-related sense, ought to be really the guidance/advisor kind of individuals who would go after these individuals, convince them that they should be in school for their own good and the good of their own families and the community, and get them back in the classroom. And I think any effort to refuse to keep accurate attendance records, simply to get state aid -- and this is being done, unfortunately I think, in some of our cities-- is indefensible. My hope would be that if a youngster is consistently out of school, and obviously not getting an appropriate education, that steps should be taken if necessary (legal steps) to bring him back in. But I think the legal steps should be regarded as last resort steps, that the guidance function first should get them in. Now, if the custodial role is the primary function of a school, and we must force young people into an institution whether they're getting anything out of it or not, I certainly support Frank Brown's contention that we're off the track. On the other hand, if we do have viable options--real alternatives--I can see these young people getting all kinds of dividends, and their being in school.

M: That was Owen Kiernan arguing for alternatives within the school structure. I asked Frank Brown, head of the National Commission for the Reform of Secondary Education, if he expected a constitutional challenge to the compulsory attendance laws.

B: Absolutely; within the next 5 years we're bound to have it.

M: And is it your hope then that states will make changes in the regulations before that time?

B: Since our report has come out, many of the states at the legislative level have been discussing this. I've had many calls from legislators asking for help with what you do with youngsters when you do away with the compulsory education law. But you see the real problem is that the high schools in this country are in a serious state of intellectual disrepair. The courts have given the students all kinds of rights and freedoms, and the courts have declared that they are persons under the

constitution -- we used to not think of people as having constitutional rights until they were at the age of majority, but now the Supreme Court has ruled in the Tinker case that young people (all of children in school) are persons under the constitution. When you give people all of these freedoms then you can't go around forcing them to go to school and forcing them to do all kinds of other things and actually using the schools as places of detention.

M: When you began that sentence you said compulsory education. Are you using compulsory attendance and compulsory education synonymously?

B: I shouldn't have. I'm using the word compulsory schooling.

M: How are compulsory education and compulsory attendance different?

B: You can have compulsory education which did not take place inside the schools. For example, George Gallup, the pollster, told me recently that the most popular social program that America has ever had was the old CCC camp. He says that since 1932 he has polled this issue about 15 times and it always comes out on top. The state -- I guess the state because it's largely responsible, but with the cooperation of the federal government -- could very well set up a kind of a conservation camp for youth after age 14 and let them out of school but compel them to pursue some other kinds of education. And many states are letting them out of school now and letting them pursue their education on the job somewhere. This is compulsory education but it's not compulsory schooling because it doesn't have to take place in a school.

M: Would you endorse some kind of entitlement -- some kind of ticket -- that would entitle a person to, say, 10 years of school that he could use at any time?

B: Yes. The Commission, in its recommendation, recommended that we cut the compulsory schooling back to 14 but to add two more years of free schooling to the community college, and that a person could have 14 years of free schooling anytime during his lifetime that he wanted. In other words, if he dropped out at age 14 and at age 40 he wanted to pick up and go he had a ticket to go with.

M: I see.

B: One thing more about compulsory schooling, John; we don't have compulsory schooling. It's impossible to get a conviction today from a court over truancy, and the schools are dropping in attendance every year.

M: Have the school people objected to your proposals?

B: Well, mostly the school people are concerned because of this problem. We're now entering a place where we're in a decline of population, and people are not going to continue to give money to schools for fewer students. We know we're approaching zero population growth and the schools are going to be the first to feel this pinch. In fact, we're already closing schools in some districts so educators are concerned that they're going to be losing funds because they get their money on the basis of the number of students, and these are the people who are generally opposing lowering the compulsory schooling age because they just don't want to lose any more students.

M: It seems like that would make sense from their point of view. They would want to find new students rather than accept fund cut-offs and accept an end to compulsory schooling. I want to change to the compulsory attendance regulation in the State of Washington. As I'm sure you know, they have new legislation which allows the superintendent to exempt a student from schooling

after age 15, I believe it is, if the student can demonstrate educational competence. How does that strike you?

B: That's a step in the right direction, a very positive step. I'm familiar with it and I think it's very popular in Washington.

M: How does one measure educational competence?

B: That's about like attempting to measure the quality of education, and nobody's ever been able to do that. But, I would assume that what he's talking about is not educational competence but they consider vocational competence as a measure of educational competence, and if a person proves that he can hold down a job successfully, then that's considered educational competence because it's occupational competence.

M: That in fact is the other part of the law, as I'm sure you know. It says that if a student in fact has a job, then he or she no longer has to go to school once they reach, I think it is, age 15. Does that seem to you to be reasonable legislation?

B: Very reasonable, but it's only a baby step when we need to be taking a giant step.

M: It certainly seems to me that it reinforces the idea that schools are custodial; they'll keep you there until you can get a job and then you can go.

B: That's right, but a lot of young people should be able to get jobs at a much earlier age if they want jobs, and they're unhappy with what they're getting in schooling. You see, when you leave the elementary school, when you leave the basic education, the high schools emphasize more on values than on basic skills, and we take the position that the important responsibility of the schools is to give everybody a basic skill and once you've done that they should be allowed to move on if they want to.

M: Let me ask you to summarize just by saying what the basic skills are that you think a person leaving high school ought to have.

B: Competence in reading; competence in writing; competence in mathematics.

M: And the ability to hold a job.

B: I'm not sure. No, I think he may acquire that on the job. I'm not sure you can get that in the elementary school. See, these things are basic; they're really job skills if you analyze it further down the road and they're basic to occupational competence.

M: Dr. Brown's observation that school people are worried about declining enrollments was borne out in my discussion with Owen Kiernan. I began by asking Dr. Kiernan whether he expected changes in the compulsory attendance regulations.

K: I don't think so. I have the feeling that the executive, legislative, and judicial branches of government, as well as parents and the general citizenry, will continue to expect that the schools render a service, not a custodial service (I'm underscoring that), but the kind of service that would make sure that when the youngster comes out, he has some capability in handling the mother-tongue either in reading, writing, or in speaking; some understanding of the basic concepts of mathematics; some understanding of science and how it plays its role in a technological society; and he shouldn't be let out until he's accomplished these goals. These are competency goals, if you will, and once they're accomplished there's nothing wrong with a youngster moving out at 14 or 12 or 18 or 25. I'm, again, emphasizing the point that the school as an educational institution should not be bound by arbitrary age levels or arbitrary programs.

M: I'm fascinated by that idea of competence as a way of judging when you are eligible for leaving high school. How would you determine competency in reading, writing, and deciphering for example?

K: I think you can do it in several ways. I think you can do it in a direct relationship, student to teacher; I think you can do it through testing programs, with adjustments for those who might have language difficulties or limited backgrounds. The State of Oregon is a good example of coming up with some basic competencies for the high school graduation requirement rather than indicating that there must be so many years of English, or science, or mathematics, or foreign languages.

M: You mention the law in Oregon, Dr. Kiernan. There's also new legislation in the State of Washington part of which allows for a student to be released from school after age 14 if in fact he or she is holding a job. Does that strike you as sensible legislation?

K: I think any of these options or alternatives, as you describe them, are worth trying. I'm not suggesting that young people be regarded in the guinea pig category at all, but most of these opportunities -- and I'm certain that the State of Washington would be a good example -- would be reasonably good ones, and that a young person may come out and be just as good a citizen as the individual who stays on the academic track and moves on to collegiate endeavors all the way through graduate school with advanced degrees. So I don't think there's any first or second class citizenship in terms of education. I think we're preparing these young people for life, so more power to Washington and the other states that are trying these schemes.

M: If you polled your membership of secondary school principals, how would it come out; or have you done such a poll?

K: I think unquestionably -- no, we have not actually conducted a poll -- it would come out with a split decision with overwhelming support for continuance of a compulsory system.

M: I think you said it would be a split decision. I think the principals who might vote in favor of a 14 year cut-off might be the ones who are most bothered by genuinely anti-social and destructive kids. What's your answer to them especially since rapid inflation and declining revenues make it unlikely that there will be new money for the kinds of bold new programs that you recommend.

K: You raise a very critical point. It's a known fact that some of our unions have pressed on occasion to allow a teacher to make a determination as to whether John Jones or Alice Brown remain in the class -- that he's disruptive, he obviously is a discipline problem and the easiest thing in the world would be to give John and Alice the heave-ho. I think if you do push this youngster out onto the street, you're adding to his burden and the burden of society. It's going to be much more costly, and I don't think you're solving anything. I'd be very much concerned if administrators and/or teachers or school boards were given the authority to just promiscuously -- and this is why I object to this 14 year old suggestion -- to just say we can't do anything for you or you're on your own; there are some great alternatives out on the street and why don't you go out and find them.

M: I can see that from your position as Executive Director of the National Association of Secondary School Principals, you and your association have a vested interest in keeping the pool of children going to school as large as possible. But in fact the pool is getting smaller all the time.

K: There are vested interests. We try not to think of ourselves as a vested interest, however, in other words, defenders of the status quo. Who was it that wrote the old English cuplet, "come wheel or come woe, my status is quo." We just don't buy that. So I would, not vigorously but graciously, reject the idea that we're trying to defend the empire.

M: Dr. Frank Brown and Dr. Owen Kiernan are thoughtful members of the educational establishment. Someone outside the education profession, as Mary Wilson certainly is, looks at compulsory attendance quite differently. Mary is a non-graduate, a drop-out, who doesn't fit Dr. Kiernan's or anybody else's image of a drop-out. While in high school, she directed a work-study program for 80 students. She succeeded in attracting $20,000 in foundation support for her work-study program. After her non-graduation, she helped start a high school information center at which job she worked for three years. Today Mary, who's now 20, works as an apprentice carpenter and as a pianist at a ballet school. I asked her for her view of compulsory attendance.

W: I think ideally that there would be no laws related to compulsory attendance.

M: Why do you say that?

W: I think basically that compelling a kid to go to school shouldn't be necessary, that what's at school should be exciting enough and challenging enough so that kids would want to go. The laws say, in most states, that from the ages of 6 to 16 that kids must attend school, and they don't. There are a number of kids that just drop-out, leave at 12, 13, 14, or 15. There are a number of 7 and 8 year olds especially in Spanish-speaking communities who don't attend school, and who've never been sought out by the school system. And a lot of them just don't care whether kids go to school or not.

M: When you were in high school among your own age group, was there any dominant attitude about the idea of laws requiring kids to be in school?

W: I think, mostly, kids didn't give it much thought and I didn't give it much thought either. The laws weren't the things that made us feel that high school was where we ought to be. People said you ought to go to high school in order to get a job or go to college. But the laws weren't that much a part of why we were in school.

M: Suppose there were no compulsory attendance laws. Do you think most kids would continue to go to school?

W: As I said, I don't think the laws are the things that have provided the impetus for kids to be in school or to go to school, and I don't think it would have much impact whatsoever. My fear is that there would be other kinds of exploitation by schools and by industry on kids in terms of working, in terms of not providing needed services. One of the impetuses for public education available to all is compulsory education; you require everybody to go to school so you have to make something available to everybody. What would happen is that the schools would refuse to recognize, even more so, the needs of poorer kids in the schools. They wouldn't provide educational programs for these kids because they weren't compelled to attend the schools.

M: Imagine for me, if you would, what a school might look like if kids did not have to go to it -- not just for compulsory attendance laws but for the other pressures too. What kind of relationships might exist between teachers and students, or among teachers and students for example?

W: I think you might have a sort of built-in evaluative system of teachers and of school programs. Kids would not be involved in a program that they didn't find was meeting their needs. Now what you have is teachers teaching when they don't want to, and kids being in classes when they don't want to, and there's no built-in mechanism for kids to pick and choose and say "no" to a teacher. Maybe if you didn't have compulsory attendance, the bad teachers would be sitting with no kids in their class.

M: Would you be in favor of a system of compulsory education that just offered a number of alternatives so kids could vote with their feet?

W: I believe that education ought to be available to all people basically from very young on into adult in continuing kinds of education, and that a whole range of alternative programs ought to be available to people. But I don't feel that the compulsory end of it ought to be on the consumer end. I think it ought to be on the providing end. The responsibility ought to be with the schools to provide programs that serve the needs enough of students in a community that they attend school and that they feel the need to attend school.

M: In your analysis, why don't schools provide the kinds of programs that you're making sound very attractive?

W: There's a lot of reasons. One of the first that they'll say is finances. I think that's part of it, but I feel a lot of it comes from the way decisions have been made in schools, that they've not been made in terms of money or in terms of servicing the needs of students. They've kind of been made considering the interests of other people, partly to think of universities -- sort of the way it's gone on down saying schools have to provide these kinds of programs and schools have to have these required courses in order to get into colleges, or with jobs with some of the career kinds of education that there is now in vocational education. Well, to change a little bit how I'm saying it, the whole area of schools has been inculturated. Schools train people to fit into the society and to live according to the interests of the society with industries and corporations and government the way it is; that they basically just try to socialize people.

M: Where is the support for the kind of changes you'd like to see? Where is that support going to come from?

W: I think that there basically isn't support for no compulsory attendance. No, there's not support. I mean that's clear that parents and I think kids, too, would say "yes there should be laws saying kids have to go to school." But, I think that you do find support, and in the survey of the children, you found overwhelmingly the parents, even though they said "yes, kids ought to be forced to go to school," saying "the schools aren't doing good for my kid; they're not teaching him to read; they're not teaching him kinds of skills that he needs in order to make it."

M: I think it's very interesting that you say (I think I hear you saying) that if there were any change in the compulsory attendance regulation, it really wouldn't make that much difference in the way schools run. Let me see if I'm summarizing correctly. Some of the more upwardedly-mobile kids--kids who are seeking to have a job when they graduate from high school or want to go to college--they'd keep on going because other pressures make them go. And the other kids who aren't interested or turned-off by school, many of them don't go anyway despite the law, and so, therefore, there'd be little change. Is that a fair summary?

W: Yes, that's what I think.

M: Suppose there is a compulsory attendance regulation, and a kid's parents are pressuring him or her to go to school; but suppose he or she doesn't want to go; what are some of the ways you can get around going to school?

W: The common thing that everyone knows about is skipping classes. You can show up in one or two classes, or you can just show up in homeroom and get counted there and then you just leave, and that's where your friends so you maybe hang around the building anyway. So you're there, sort of.

M: I've noticed, walking through high schools, there are an awful lot of kids in the hall. Do you suppose a lot of those kids have just decided that they have to be in the building but they sure don't have to go to classes if they don't want to?

W: Oh yes; I've done some of that myself.

M: What are some of the other ways of avoiding going to school, or getting out of school?

W: Partly, if you get in trouble in school, you can be suspended, you can be expelled. Lately what's been happening is that kids have been trying to graduate early and they try to get out of high school in three years. Other kinds of things that have been going on are special kinds of work-study programs where kids get released, or half-days, or lots of kinds of things that are shortening the amount of time that kids have to be in school in terms of the day, in terms of the year, in terms of a lot of things. And I think there's value in all of that. I think that the more different kinds of programs you have available, the better, as long as they're voluntary. Kids feel the voluntariness of the programs, and that's good.

M: That was Mary Wilson, a high school non-graduate who directed a high school work-study program for 80 students while she was still in high school. LuVern Cunningham is another highly respected member of the education profession. He is former Dean of the School of Education at Ohio State University, and today he is the co-director of the Detroit Education Task Force, a citizens' group. I asked Dr. Cunningham whether compulsory attendance regulations were being questioned by policy makers around the country.

C: Statutes that govern attendance are longstanding; they've been modified in recent years usually to extend the period of compulsory attendance. Currently many of those statutes are under re-examination with a view towards trying to understand whether the reasoning that put in place such laws is now defensible; whether new points of view ought to be expressed in regard to compulsory attendance.

M: Now, there are several different points of view. One is that compulsory attendance ought to exist; the statutes are worthwhile but that the age itself ought to be modified say to age 14. Is that your view?

C: My view is that the question needs to be thought through from a variety of perspectives. Simply adjusting the age range is a patch and paste approach to the problem; it's not dealing with the fundamental issues associated with young persons and their enrollment in schools.

M: What are the fundamental issues?

C: The fundamental issues have to do with the quality of educational experience -- what the schools really can provide. And if there is no utility in attendance, then there ought to be some freedom for persons to discontinue their formal education. And in the meantime, we ought to be thinking about the relationship between compulsory attendance and the resources available to support individuals -- the dollars that flow from local taxation at the

local district level; the resources made available from the state and from the federal government -- to see whether those moneys could be changed in terms of who really possesses them; who exercises ownership over those resources.

M: Now, knowing your reputation, I'm sure that you have thought through the question of compulsory attendance. What kind of policy would you suggest that would not be patch and paste?

C: It would have to do with reallocation of resources in terms of individuals. Currently, we give moneys available from the states to local school districts and local school districts use those resources irrespective of the attendance patterns of young people. In many of our secondary schools and junior high schools in the past several years, we've had very poor attendance, but local districts receive those dollars whether the young people are enrolled or not. My thoughts are that we ought to consider a reallocation of resources so that the entitlement stays with the person. If a young person for whatever reason has to go to work--if there's illness, or if there's irrelevant curriculum, and they leave school--they shouldn't automatically, because of their departure, lose their entitlement to state resources to support their education.

M: You say "entitlement"; that obviously is the key work. What does it mean?

C: It means that persons have dollars set aside for them (John Jones), and that if a person leaves school those moneys should be protected for that person in case he or she wants to re-enter sometime later.

M: Would that be like having a ticket that would allow me so many years of school that I could use at almost any time?

C: Yes, indeed. It would support the concept of life-long learning. It would be the basis for beginning to think about financing educational experience throughout one's life existence. We've been giving a lot of thought to that; there's a lot of rhetoric that flows around it but there's no concept of how it could be financed, and in this way it deals with financing life-long education.

M: Are there any states that are taking a serious look at what you just suggested?

C: None. My notion is that if a person elects not to use that, those funds should be put in some kind of escrow account; they should be protected for him or her and it could go through one's lifetime; it could be tied into Social Security or some kind of national recording and accounting system for individuals. Since most of the support for education is managed by the states rather than the federal government, I presume that each of the states would have to consider how to develop its own accounting system for persons. And if we really believe in life-long education, then that escrow account should stay in place for persons who re-activate it at age 45 or 67 or whenever; it should be an entitlement that stays with the individual.

M: That was LuVern Cunningham, Co-director of the Detroit Education Task Force. Joseph Featherstone writes about education past and present. His most recent book, Schools Where Children Learn, is about open education in Great Britain. Jay now teaches at Harvard, and I asked him by telephone why we have compulsory attendance laws in the United States.

F: If you go back to when compulsory attendance laws were put on the books, it's a very motley assortment of reasons why we have them. Labor unions supported them because they didn't want kids competing in the job market; families increasingly as the nineteenth century went on felt as though their kids would be better off in schools than working; humanitarian and philanthropic and elite reformers thought that probably it would be more beneficial for children to be in school than in the workplace. Whole conceptions of childhood and youth began to emerge that made it seem like it was a different stage of life from adulthood and that it should be protected, and the institution to protect it was schools.

M: Can you imagine a society that made education voluntary, or is that impossible to imagine?

F: If you look at the origins of what we have (which is not the same as deciding what we want to do now), the origins of it, I think, were seen as that the assortment of people, who for different motives wanted compulsory education, many of them thought that what they were doing was carving out a free space for children called education, that is, against competing necessities like jobs and the labor market. So that in historical terms, many of the people who were for compulsory education thought that they were enlarging children's choices. I think very often the people preaching voluntarism now do not take into account the alternatives that exist in the sense of refusing to see that voluntary learning networks or informal institutions of learning or job training programs or any of the kind of alternatives that we can envision and should envision to the schools as they now exist, that those would all have to be built because, as things stand now, the alternatives to the schools are the streets and the job market, and that's not a good situation. I mean, I think many people would still argue--and I would--that unless alternative institutions are actually built and funded and given money and endure over time, the ending of compulsion in education would mean new forms of compulsion in terms of jobs. At the moment that's the way I feel. I mean we could argue about different ages and stuff like that -- it may be true that compulsory attendance goes on too long, although I'm dubious about that -- but it really is true, I think, that there aren't alternatives right now to the schools.

M: Do the conditions exist, Jay, that make it likely that those alternatives would be created?

F: I think probably it will have to be done in the guise of education.

M: Explain what you mean by that.

F: To the extent that schools themselves open up; to the extent that there get to be varied routes and varied ways of spending your alloted time, say in high school, you know work-study things, arrangements that take you out of schools into other places; the problem is that I can't see them being done unless they're done as part of a commitment to education. It seems to me that this debate has be to a debate about what kind of alternatives we are prepared to pay for and provide for youth. And if it isn't, if it's just a debate about the laws it seems to me like it's the old American idea that "there ought to be a law." We've learned that that's ridiculous as a substitute for actual institutional change and reform. But there's a tendency now to think that since we used to say "there ought to be a law" and things haven't gotten better, that now we can achieve reform by turning that on its head and saying we ought to abolish the law. And I don't think it means all that much. I don't think there'd be very much change at all if the law were abolished tomorrow. You know this is a funny issue because there are funny kind of time lags on it. There were real reasons, and I think there are continuing reasons

why the laws exist. I would much rather put this to date on the level of what kind of alternative institutions we're ready to build.

M: That was Joseph Featherstone who writes and teaches about education at Harvard. At the beginning of this show we asked how effective compulsory attendance laws were, that is, how they were being enforced. I'm not sure, Mike, that we ever really answered that question. I do have some data about one city -- New York City -- that I gathered in doing research for the program. Maybe I ought to pass that along right now at the end of the show.

A: How effective are the laws in New York City?

M: Well, I guess not very. New York has roughly one million students, and every day more than 25% of the high school kids are absent.

A: That's a goodly number.

M: For openers, that's a pretty staggering figure. Now what that amounts to, I found out from the Bureau of Attendance of the City School System, is that the average kid misses 32.6 days of school a year. Now in a 180 day school year, missing 32 days is a lot of days, and I'm sure that you remember from your high school career that there are an awful lot of kids who go to school all the time, who get the perfect attendance or 99%.

A: I guess. I really couldn't speak to that except at the end of the year when someone got an award, because I was one of the people who missed about 25% of the days. I missed as much high school as I could.

M: Maybe there are a lot of kids who feel that way. I also asked them about how they enforce attendance because that's a difficult question -- what do you do, send the law to make the kid go to school? Well, it turns out -- you remember the old truant officer-- now they're called attendance teachers, and New York City for a million students has 352 of these attendance teachers.

A: Sort of a heavy workload I would imagine.

M: I would think so too, and in fact the workload is getting heavier which may or may not be a healthy sign because less than 2 years ago there were 100 more attendance teachers -- that is, there were about 450 attendance teachers, now they're down to 352. They told me that what that means is that the schools and the school districts are having to make economic decisions. There's not as much money around, and where they start cutting is in the area of attendance teachers. They also gave me (and they were very cooperative) some figures on drop-outs that might be interesting for our audience. There are two ways to drop out of school legally; in New York City you have to be 17. Now when you hit 17, you can drop out before graduation if you have parental consent. Now when you hit 16, you can drop out with parental consent and with an employment certificate (what we used to call working papers). So that it turns out that in New York City last year (no, these are 72-73 figures as a matter of fact), 31,780 high school kids dropped-out one of those two legal ways. Now that amounts to a little more than 10% of the high school population. But that's really a misleading figure because a whole lot of the kids in high school haven't reached 16 yet, so that that 10% is a figure of all the high school kids but not all of them are eligible. Now if you just said how many of the eligible kids dropped out, then the 10% would jump perhaps up to as high as 20% they told me. So that then, as Mary Wilson suggested earlier in the show, there are lots of other ways to drop out of school -- you can just stop going, or you can go and sign in for homeroom and wander around the halls. But I thought

it might be useful just to try to answer that question at least for New York City. When we said, "how effective are the laws?" the answer really is that they're not very effective. There are a few schools in New York City where the daily attendance drops below 50%, that is,more than half the kids aren't in school on a typical day.

A: John, we will be finding out how our listeners feel about the question of compulsory attendance at school. And, the way we're going to be doing that is by asking them right now to send us on a postcard their name, and address, and telephone number and we will call them and they can share their opinions with us and with our other listeners.

M: I think that's a great idea. I think that maybe in our end of the year show, when we kind of wrap-up this year's "Options on Education," we can do a call-out, and the people who want to be called, if they give us their telephone number, we'll call them up.

A: And we have the address for them to write to. This address is good for both writing and to get a transcript of the program if you would like one, or for letting us know your name, address, and telephone number if you would like us to call you so you can share with us and the other listeners your opinions on the subject of compulsory attendance. But we need the phone number, and we need to know that you'd like to share your views if that's why you're writing. So, here's the address both for receiving a transcript of this program if you'd like it, or for sharing some views with us: Options on Education, Room 310, 1001 Connecticut Avenue, N.W., Washington, D.C. 20036.

(Music)

A: For "Options on Education," I'm Mike Waters. This program was produced by Mitch Hart and John Merrow. Funds for the program were provided by the Institute for Educational Leadership of the George Washington University, and the Corporation for Public Broadcasting.

(Music)

A: This is NPR, National Public Radio.